

CHAPTER: 900
Inmate Programs and Services

DEPARTMENT ORDER:

924 – Inmate Fundraisers

OFFICE OF PRIMARY
RESPONSIBILITY:

OPS

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Arizona Department of Corrections

Department Order Manual





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PURPOSE

This Department Order establishes procedures for inmate fundraising events to provide a way for them to make reparations and give back to the communities affected by their crimes. The Department's Principles of Programming offer inmates an opportunity to engage in pro-social behaviors that contribute to restorative justice.

PROCEDURES

1.0 GENERAL REQUIREMENTS

1.1 Warden Responsibilities

- 1.1.1 Wardens, in consultation with the respective Regional Operations Director (ROD), are the final approval authorities for all fundraisers held within their assigned institution.
- 1.1.2 Each Warden shall appoint a complex Inmate Fundraiser Liaison, who shall work with the units to organize and plan inmate fundraising activities.
 - 1.1.2.1 The unit Deputy Warden shall assign a Correctional Officer (CO) III(s) who shall organize and plan fundraising activities for his/her assigned unit.
- 1.1.3 The Warden, in consultation with the respective ROD, shall approve fundraisers consistent with unit security requirements and may include activities such as a domestic violence walk, food sales, or any other activities.
 - 1.1.3.1 The ROD shall establish criteria as to the suitability of each fundraiser by security levels.
- 1.1.4 Inmate fundraising shall occur at least once per quarter at each complex to raise funds for various approved charitable organizations.
- 1.1.5 Each institution/unit shall hold a mandatory annual inmate fundraiser in support of the National Crime Victims' Rights Week.
 - 1.1.5.1 The Director or Division Director for Prison Operations may mandate other fundraisers.
 - 1.1.5.2 As approved by the Warden, in consultation with the respective ROD, additional inmate fundraisers and non-product related Inmate Direct Donation fundraisers may be initiated at any time.

1.2 Restrictions

- 1.2.1 Inmates may not participate in fundraising activities benefiting the Employee Fund.
- 1.2.2 Inmate fundraisers are for inmates only; however, employees may independently donate money to the charitable organization.
- 1.2.3 Inmate participation is voluntary, and the incentive markup shall be 100%. One-hundred percent of the net fundraising proceeds shall go to the selected charitable organizations.

- 1.2.4 Inmate fundraisers shall not be conducted concurrently in competition with another inmate fundraising event.
- 1.2.5 Food sales shall not be conducted on the same day similar foods are served by the Food Service Contractor. Food products sold at inmate fundraisers shall be maintained and served in compliance with established safe food handling guidelines. (See Department Order #912, Food Service.)

2.0 INMATE FUNDRAISING EVENTS

- 2.1 Planning – The hosting unit shall plan and organize the event and shall work in conjunction with the Complex Business Office and any contracted vendor whose business operations may be adversely affected by the sale of a particular product.
 - 2.1.1 The Complex Business Office shall ensure an inmate fundraiser checking account with a debit card is established in accordance with Department Order #303, Bank Accounts.
 - 2.1.2 The designated CO III shall:
 - 2.1.2.1 In coordination with the Complex Business Office, establish an event date and timeframe that is amenable for both areas, taking into consideration various issues (e.g., inmate payroll dates, other deductions, etc.). The date should allow at least two weeks for the Complex Business Office to process the Inmate Request for Withdrawal, Form 905-1.
 - 2.1.2.2 Ensure the Victim Services Administrator verifies and pre-approves proposed charitable organizations that would benefit from the inmate fundraiser activities.
 - 2.1.2.3 Complete and submit the Fundraiser Request, Form 924-1, through his/her chain of command (to include, the Food Service Contractor and/or Contract Commissary vendor, as appropriate) to the Warden for review and approval.
 - 2.1.3 The Warden shall make a determination and:
 - 2.1.3.1 If approved, indicate “Approved” and forward the form to the hosting unit’s Deputy Warden, respective ROD, Victim Services Administrator, complex Inmate Fundraiser Liaison and Complex Business Office.
 - 2.1.3.2 If not approved, indicate “Not Approved” and return the form to the hosting unit, and copy the complex Inmate Fundraiser Liaison.
 - 2.1.4 When applicable, the Food Service Contractor and/or Contract Commissary vendor representative shall waive the contract provisions if the product selected for the fundraiser is available through the respective contracts. This approval shall be documented on the Fundraiser Request form.

2.2 Vendor Confirmation

2.2.1 The designated CO III hosting the fundraiser shall contact:

2.2.1.1 The Business Administrator to determine whether a state contracted vendor must be used.

2.2.1.2 The selected vendor to determine costs, method of payment, and the estimated time of arrival for product delivery. The designated CO III may order the product(s) online using the inmate fundraiser account debit card. Vendors must be contacted in advance to ensure the acceptance of an ITA check, inmate fundraiser account check, or inmate fundraiser account debit card. No other method of payment is permitted.

2.2.1.2.1 For private prisons, the inmate fundraiser account debit card or inmate fundraiser account check refers to the account used by the corporate entity.

2.2.2 The State of Arizona cannot be obligated for inmate fundraisers. A credit application shall not be made and State Purchase Orders shall not be issued.

2.2.3 State employees, contract staff, volunteers, and their immediate family members are not permitted to be the vendor.

2.2.4 Employees are prohibited from using their personal warehouse club cards.

2.3 Placing Orders with the Vendor

2.3.1 The designated CO III shall:

2.3.1.1 At least two weeks prior to the fundraiser event, obtain pricing of all products and services, including delivery charges and sales taxes. (The Department is not tax exempt.)

2.3.1.2 Wait to order the fundraiser items from the vendor until after he/she has received the printout from the Complex Business Office, indicating which inmates had money processed for the event. This ensures that items are not ordered when an inmate has insufficient funds.

2.3.2 The vendor shall provide an original invoice or receipt with the company name. Copies, faxes or electronically transmitted invoices are not acceptable.

2.3.2.1 Upon receipt of the invoice, an ITA check or inmate fundraiser account check (whichever is accepted) shall be issued to the company named on the invoice. The inmate fundraiser account debit card can be used for payment, if prior arrangements have been made with the company.

2.4 Advertising – The hosting unit cannot announce the event, post calendars, flyers or collect Inmate Request for Withdrawal forms until the event is approved by the Warden. Once the event has been approved:

2.4.1 The hosting unit may request inmate voluntary participation/contribution and collect Inmate Request for Withdrawal forms through:

- 2.4.1.1 Announcements on closed circuit television regarding opportunities to voluntarily donate.
 - 2.4.1.2 One-on-one contact between staff/inmates for contributions.
 - 2.4.1.3 Posting flyers to inform/educate inmates regarding the fundraiser event and the charitable organization benefited.
 - 2.4.2 The designated CO III shall establish and maintain a quarterly calendar for inmate fundraising events.
- 2.5 Fund Collection – Collect original Inmate Request for Withdrawal forms and deliver to the Complex Business Office two weeks prior to the event to ensure funds are available. This will also ensure the accurate amount of product is ordered from the vendor. Determination of quantities ordered from the vendor shall be based on the number of inmate participants who have paid in advance. Unit staff may create a master list to sort disbursements.
 - 2.5.1 Only the designated CO III(s) shall collect and review the Inmate Request for Withdrawal forms submitted by the participating inmates. Inmates are prohibited from handling, sorting, processing and/or reviewing any Inmate Request for Withdrawal forms related to the fundraiser.
 - 2.5.1.1 To ensure a check and balance occurs regarding the Inmate Request for Withdrawal forms, the CO III and an additional staff member will verify each inmate's fund availability, via the AIMS Banking screens, and shall sign each form in the "ATTEST (Authorizing Staff Signature)" box.
 - 2.5.1.2 At no time shall a CO III or any staff member use personal funds (e.g., cash, credit or debit card, etc.) to correct an error or mistake. If an error or mistake is found during the fundraising process, the CO III or other staff member shall immediately notify his/her supervisor and/or Complex Business Office for guidance on how to proceed.
 - 2.5.2 The Complex Business Office shall ensure:
 - 2.5.2.1 Inmate signatures and unit authorized signatures appear on the forms.
 - 2.5.2.2 "Pay To" is the fundraiser.
 - 2.5.2.3 One disbursement is posted for the total order (not to exceed the defined limit).
 - 2.5.2.4 Units are notified of any non-sufficient funds.
 - 2.5.2.5 No refunds are allowed once ITA checks have been issued.
 - 2.5.3 The Business Administrator shall ensure these monies are tracked, accounted for, and distributed appropriately.
- 2.6 Distribution of Product
 - 2.6.1 The hosting unit shall make arrangements with the Chief of Security for staff coverage on the day the product is to be delivered to inmates on the unit.

- 2.6.2 The designated CO III shall pick up the ITA checks or inmate fundraiser account debit card from the Business Administrator on the date the purchase is made.
- 2.6.3 If possible, the items selected for the fundraiser shall be delivered to the complex. If delivery is not available, the designated CO III(s) shall pick up the items using a state vehicle and bring them to the complex. At no time shall these items be delivered or taken to the personal residence of a staff member.
 - 2.6.3.1 Upon return to the complex with the items and prior to 1630 hours, the designated CO III shall deliver the vendor's original receipt to the Business Administrator and return the inmate fundraiser account debit card (if applicable). The Business Administrator shall verify the amount of the transaction with the receipt to ensure the amounts match.
- 2.6.4 Designated staff members shall hand out the fundraising items to the inmates who participated in the fundraising event. The inmate must be present to receive the items.
 - 2.6.4.1 If property items are received (i.e., water bottle, pillow, blanket, sheets, towel, etc.), an Inmate Property Received, Form 909-5, shall be completed and provided to the inmate during this time.
 - 2.6.4.2 The inmate shall sign and date the form acknowledging such items were received on that date. The Mail and Property Officer shall ensure a copy of the Inmate Property Received form is filed in the inmate's property file.
- 2.6.5 Unsold Perishable/Property Items
 - 2.6.5.1 Perishable Items - Any additional and/or remaining perishable items from the inmate fundraiser may be sold to other inmates or staff at the stated price, or discarded.
 - 2.6.5.1.1 Inmate Request for Withdrawal forms and/or money shall be submitted to the Complex Business Office for processing to the charitable organization.
 - 2.6.5.1.2 Inmates and/or staff shall not eat nor take these items home without paying for them.
 - 2.6.5.2 Property Items – Any remaining property items shall be offered for sale to other inmates at the same price. Unsold property items shall be returned to the vendor for a credit. The credit shall be processed and given to the designated charitable organization.
 - 2.6.5.3 The designated CO III shall complete an Information Report, Form 105-2, detailing any overage of perishable or property items, and whether items were discarded, sold to other inmates or staff, or returned to the vendor for credit.

2.6.5.3.1 A second staff member shall witness the disposal of the extra perishable items. The witness's name shall be documented on the Information Report form.

2.6.6 Once the fundraiser is complete, all fundraiser paperwork shall be provided to the unit CO IV, who shall review the information within three workdays to ensure there is complete accountability of all items and monies.

2.6.7 The Complex Business Office shall maintain the original documents on file in accordance with the appropriate records retention schedule. The packet shall consist of the following:

2.6.7.1 Approved Fundraiser Request form

2.6.7.2 All Inmate Request for Withdrawal forms

2.6.7.3 All Inmate Property Received forms

2.6.7.4 Product receipt(s)

2.6.7.5 Copies of each vendor check

2.6.7.6 Copies of each charitable organization check

2.6.7.7 Complex Business Office printout, which documents the monies withdrawn for each inmate who participated in the fundraising event

2.6.7.8 Information Report(s) detailing any excess items and the action taken regarding them, if applicable

2.7 Fund Distribution

2.7.1 The Complex Business Office shall create two ITA checks: one to the vendor to cover expenses and a second to the designated charitable organization; or one ITA check can be created and deposited when using the fundraiser account to distribute the funds to the vendor and the charitable organization.

2.7.2 After all revenues have been collected and the vendor(s) has been paid, the designated CO III shall make arrangements to present the check or debit card payment to the charitable organization.

2.7.3 All documentation shall be forwarded to the complex Inmate Fundraiser Liaison for audit purposes. The complex Inmate Fundraiser Liaison shall maintain account ledgers for each fundraiser.

2.7.4 All original receipts/invoices from vendors shall be returned to the complex Inmate Fundraiser Liaison to provide justification for the payment to the vendor.

2.7.5 Copies of receipts/thank you notes from the charitable organization shall be scanned and emailed or faxed to the complex Inmate Fundraiser Liaison.

2.7.6 The Complex Business Office shall disburse all proceeds to the charitable organization, minus product costs.

- 2.7.7 All checks shall be accounted for and disbursed in accordance with Department Order #303, Bank Accounts, and this Department Order.
- 2.8 Refunds From Vendor – The preferred method of refund is a check or debit card. Any cash refunds from a vendor shall be hand-delivered to the Complex Business Office on the same day received. The Complex Business Office will process these funds to the designated charitable organization. At no time will any cash refunds (i.e., cash, check, gift card, account credit, etc.) be used to reimburse staff or purchase other items. Any returns require two staff to process.
- 2.8.1 No refunds shall be issued to the inmates. Inmates who are transferred or released prior to the date of the event forfeit their items.
- 2.9 Reports
- 2.9.1 The complex Inmate Fundraising Liaison shall account for all inmate fundraising events. He/she shall submit a monthly fundraisers report to the Office of Victim Services and the respective ROD.
- 2.9.2 The private prison facility CO IV shall submit a monthly report to the Contract Beds Operations Director, who shall ensure all events and monies received are documented. The Contract Beds Operations Director shall forward a copy of the monthly report to the Victim Services Administrator.

DEFINITIONS/GLOSSARY

Refer to the Glossary of Terms

FORMS LIST

924-1, Fundraiser Request

AUTHORITY

A.R.S. §31-230, Prisoner Spendable Accounts; Fees

A.R.S. §31-237, Dedicated Discharge Accounts

A.R.S. §31-323, Compensation for Prisoner Participation in Approved Programs; Trust Fund or Retention Account

A.R.S. §41-1602.02, Inmate Stores; Establishment; Privatization; Prices; Goods; Inmate Store Proceeds Fund

A.R.S. §41-1604.04, Investment of Special Service Funds Monies; Approval; Deposit of Proceeds